

ATLANTA, GEORGIA Municipal Clerk Atlanta, Georgia

05-O-0099

A SUBSTITUTE ORDINANCE BY:

Z-04-156Date Filed: 12-14-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

<u>SECTION 1.</u> That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1768 Marietta Road N.W.**, be rezoned from R4-A (Single Family Residential) District to the RG-2 –C (Residential General Sector 2 Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 223, 17th District, Fulton County, Georgia. being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

ADOPTED by the City Council APPROVED by the Mayor

March 21, 2005 March 25, 2005

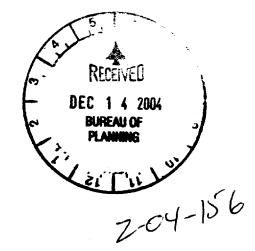
Municipal Clerk



Conditions for Z-04-156 for 1768 Marietta Road, N.W.

1. The developer shall provide landscaping in the open common spaces that would include a minimum of shade trees at a maximum of 35 feet apart.

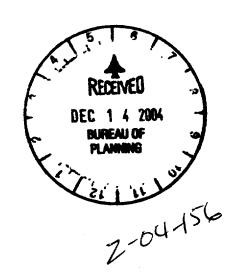
1768 Marietta Road Legal Description



ALL THAT TRACT OR PARCEL OF LAND, lying and being in Land Lot 223, of the 17th District, Fulton County Georgia and being more particularly described as follows:

BEGINNING at a point at the corner formed by the intersection of the south westerly right-of-way of Marietta Read with the south easterly right-of-way of Ellen Street; running thence southeasterly along the southwest right of marietta Road a distance of of way of Marietta Road a distance of 231.99 feet to a point; thence running south 88 degrees 20 minutes 33 seconds west a distance of 160,28 feet along the northern right of way of Alma Street, to a point formed by the intersection of the northern right of way of Alma Street with the eastern right of way of Ellen Street; thence running north O degrees 39 minutes 30 seconds east a distance of

172.32 feet to the origin and point of Beginning, being improved property known as 1768 Marietta Road according to the present system of numbering in the City of Atlanta.



Atlanta City Council

Regular Session

MULTIPLE

05-0-0322 AND <u>05-0-0099</u>

ADOPT

YEAS: 11

NAYS: 0

ABSTENTIONS: 1

NOT VOTING:

EXCUSED: 1

ABSENT 2

Y Smith Y Archibong A Moore Y Mitchell Y Starnes Y Fauver B Martin Y Norwood Y Young Y Shook E Maddox Y Willis Y Winslow Y Muller B Sheperd NV Borders

05-() -0099 (Do Not Write Above This Line) AN ORDINANCE Z-04-156 BY:	lee	First Reading Committee	FINAL COUNCIL ACTION 2nd
An Ordinance to rezone property from the R4-A	Date Chair	Date Chair	CERTIFIED
An Ordinance to rezone property from the R4-A (Single Family Residential) District to the RG-2 (Residential General Sector 2) District, property cocated at 1768 Marietta Road, N.W. fronting approximately 230.54 feet on the southwesterly side of Marietta Road, fronting approximately 160 feet on the north side of Alma Street and	Action Fav, Adv, Hold (see rev. side) Other Members	Action Fav, Adv, Hold (see rev. side) Other Members	MAR 2 1 2005
fronting approximately 172 feet on the northeasterly side of Ellen Street. Property is located at the intersections of Marietta Road, Ellen Street and Alma Street. Depth; varies. Area: .356 acres. Land Lot 223, 17 th District, Fulton County, Georgia.			
APPLICANT: KEITH SHARP NPU-D COUNCIL DISTRICT 9 ADOPTED BY	Refer To	Refer To	
MAR 2 1 2005	Mars Bare 16, 2001	Date	
	Action	Chair	
I ADVERTISE & REFER I 1st ADOPT 2nd READ & REFER PERSONAL PAPER REFER	Other Members	Other Members	MAYOR'S ACTION
Date Referred 118 QS Referred To: 乙RB+乙のいつ	May Venicas		Mully Kenn
Date Referred Refferred To:	Concern Discount		
Date Referred Referred To:	Refer To	Refer To	
Referred To:			